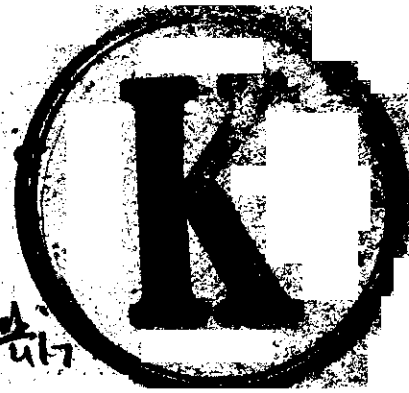


1952



File No. O. Poona university

52

Legal Dept

A. BRANCH

p. 3 (E)

Subject:— Opinions under the Poona
university Act 1948

File No. O. Poona . University
52

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645-A

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CONTENTS.

Legal Department File No. Q. Poona University/53.

Sr. No.	R.L./Q.No.	Subject	Pages.
		Opinions under the Poona University Act, 1948.	
1.	<u>15349</u> <u>18-3-1952</u>	Re: Sub-clause (J) of cl. (iv) of para. (A) of class II of sec. 16(1) of the Act. Interpretation of the provisions of -----	1-2.

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13.6.56.
5 a.

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Under sec. 16(1), class II(A)(i) and (ii) of the Peona University Act, 1948, secondary teacher of high schools and head masters of high schools have been given the right to elect three members and four members from amongst them. Under section 16(1) cl. II(A)(iv) of the Act the teachers as defined in section 2(13) of the Act have been given the right to elect five members. In all 12 members are directly elected by members of teaching profession. In order that teachers should be influence the decision of the Court by their presence in large number it was thought desirable that no more persons engaged in teaching should be elected by the Registered Graduates. It has therefore been provided in section 16(1) class II(A)(iv)(j) of the Act that twenty five members to be elected by Registered Graduates should not be persons engaged in the profession of private teaching ^{the fact that the person follows} or private coach would not alter his character as a teacher even though he is not connected with any institution enjoying any privilege from the University or the Director of Public Instruction and if any many of such persons are elected by Registered Graduates they, as teachers, are sure to influence the decision of the Court by siding with 12 members elected by Secondary Teachers, Head Masters and Teachers.

the profession of teaching

For the above reasons the provisions of subclause (j) of clause (iv) of paragraph (A) of Class II of sub-section (1) of section 16 of the Act have been intentionally worded in general terms so as to include any person engaged in the profession of teaching including the profession of private teaching. There is

nothing scope for any other interpretation of the said provision. There is nothing wrong in a Statute prescribing a disqualification for being a candidate for nomination even though he is a voter.

The view taken by the Register as endorsed by the Vice-Chancellor of the Poona University is correct.

Sd/-
16/9
Remembrancer of Legal Affairs.

U.R. to E.D., No. 15349; dated the 18th September, 1932.

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